

**IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT  
STATE OF ARKANSAS**

**IN RE: COMPLIANCE WITH ADMINISTRATIVE  
ORDER NO. 14, AS AMENDED, OF THE  
ARKANSAS SUPREME COURT**

**PROPOSED JUDICIAL PLAN**

Pursuant to Administrative Order Number 14 of the Arkansas Supreme Court dated April 6, 2001, as amended, and the Per Curium delivered July 3, 2003, the judges of the Third Judicial Circuit of the State of Arkansas submit the following plan for caseload management. This plan is submitted with the unanimous agreement of all the judges in the said circuit, and in accordance with the directives of the court in a Per Curium opinion dated June 28, 2001.

The Third Judicial Circuit consists of Jackson, Lawrence, Randolph and Sharp counties. The three judges serving in this circuit are Harold Erwin, Division I; Philip Smith, Division II; and Kevin King, Division III. Philip Smith is serving as the Administrative Judge of the circuit.

1. There is established in each county of the Third Judicial Circuit the following subject matter divisions: Criminal, Civil, Juvenile, Probate and Domestic Relations. The creation of these divisions shall in no way limit the powers and duties of the judges as Circuit Judges. Judges shall not be assigned exclusively to a particular subject matter division so as to preclude them from hearing any case that may come before them.

2. This plan is submitted to conform to the directive of the Supreme Court that caseload management shall be apportioned on an approximately equal basis among the judges.

3. The Division I judge shall hear primarily criminal cases and civil cases.

4. The Division II judge shall hear primarily domestic relations cases, probate cases, civil cases, and criminal (drug court) cases.

5. The Division III judge shall hear primarily juvenile cases, domestic relations (child support enforcement) cases, probate cases, and civil cases.

6. The Division II judge shall hear involuntary commitment cases in Jackson and Randolph Counties; and the Division III judge shall hear involuntary commitment cases in Lawrence and Sharp Counties.

7. All judges in the circuit may issue Temporary Orders in domestic abuse cases. The Division I judge and the Division III judge shall hear these cases.

8. All judges in the circuit shall be available to hear cases in each subject matter division, or cases from another judge's division, as the need arises. Any judge who hears a case outside of his or her division must have the case transferred to his or her division by the originally assigned judge prior to adjudication. This does not apply to uncontested matters, criminal pleas, domestic abuse hearings or commitment hearings. Any judge who recuses in a case may transfer it to another judge in the circuit for final adjudication.

9. Each judge, at his or her election, may periodically schedule sessions to hear contested or uncontested cases in chambers on matters in any subject matter division.

10. The judges of the Third Judicial Circuit shall meet at the end of each year to determine whether any adjustment in caseloads should be made from one division to another, in order to conform with the directives of the Supreme Court.

We, the judges of the Third Judicial Circuit, have discussed the allocation of cases among the divisions, giving due regard to the relative time factors involved in handling the various types of cases, and are in agreement that this plan is the fairest method for allocating cases among the judges, and will most efficiently serve the citizens of the judicial circuit.

We respectfully submit this plan for judicial caseload allocation for your consideration and approval this 24<sup>th</sup> day of July, 2007.

  
Harold S. Erwin, Division I

  
Philip G. Smith, Division II

  
Kevin N. King, Division III